

UNITED STATES DISTRICT COURT,  
SOUTHERN DISTRICT OF NEW YORK

-----X

1199SEIU, UNITED HEALTHCARE  
WORKERS EAST,

Plaintiff,

v.

07-Civ.-4816 (GBD)

RITE AID CORPORATION, *et al.*,

Defendants.

-----X

**NOTICE OF MOTION TO STAY  
ARBITRATION PROCEEDINGS AND PROPOSED ORDER**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law in Support of the Motion of to Stay Arbitration Proceedings, dated June 29, 2007, Defendant Rite Aid Corporation ("Rite Aid") will move this Court before the Honorable George B. Daniels on a date to be set by the Court, in the United States Courthouse, Southern District of New York, 5000 Pearl Street, New York, New York, for an Order pursuant to Rule 6.1 of the Federal Rules of Civil Procedure staying the arbitration proceedings until the two pending Motions to Dismiss Complaint have been ruled upon, and any such further relief the Court may deem just and proper.

Dated: June 29, 2007  
New York, New York

Respectfully submitted,

MILES & STOCKBRIDGE P.C.

By: 

Stephen M. Silvestri (Admitted *Pro Hac Vice*)  
Stefan J. Marculewicz (Admitted *Pro Hac Vice*)  
Laura Pierson-Scheinberg (Admitted *Pro Hac Vice*)  
10 Light Street  
Baltimore, MD 21202  
Telephone: (410) 727-6464  
Facsimile: (410) 385-3700

- and -

Scott Gilly  
THOMPSON WIGDOR & GILLY LLP  
The Empire State Building  
350 Fifth Avenue, Suite 5720  
New York, New York 10118  
Telephone: (212) 239-9292  
Facsimile: (212) 239-9001  
E-mail: sgilly@twglawyers.com

***Counsel for Defendants***

TO: Allyson L. Belovin, Esq.  
Levy Ratner, P.C.  
80 Eighth Avenue, 8th Floor  
New York, NY 10011